



General Assembly

***Amendment***

***January Session, 2003***

LCO No. **5635**

\*HB0604805635HDO\*

Offered by:

REP. CARUSO, 126<sup>th</sup> Dist.  
SEN. WILLIAMS, 29<sup>th</sup> Dist.  
REP. WIDLITZ, 98<sup>th</sup> Dist.  
REP. CHAPIN, 67<sup>th</sup> Dist.

To: House Bill No. **6048**

File No. 433

Cal. No. 290

***"AN ACT CONCERNING MERCURY EMISSIONS FROM COAL-FIRED ELECTRICITY GENERATORS."***

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective from passage*) For purposes of sections 2  
4 and 3 of this act:

5 (1) "Affected unit" means any emissions unit that generates  
6 electricity in the state and combusts coal in an amount greater than ten  
7 per cent of its total heat input on a rolling twelve-month basis.

8 (2) "Alternative emissions limit" means a mercury emissions limit  
9 established by the Commissioner of Environmental Protection for an  
10 affected unit.

11 (3) "Calendar quarter" means the period of January first to March

12 thirty-first, inclusive, April first to June thirtieth, inclusive, July first to  
13 September thirtieth, inclusive, or October first to December thirty-first,  
14 inclusive.

15 (4) "Inlet conditions" means either: (A) The concentration of mercury  
16 in the flue gas exiting the combustion source prior to application of  
17 any air pollution control device; or (B) in the case of a fluidized bed  
18 combustion unit, the concentration of mercury input to the combustion  
19 source based on representative fuel sampling and analysis, as  
20 determined by the Commissioner of Environmental Protection.

21 (5) "Mercury" means mercury and mercury compounds in either a  
22 gaseous or particulate form.

23 (6) "TBtu" means trillion BTU of heat input.

24 (7) "Fluidized bed combustion unit" means a combustion unit in  
25 which fuel is introduced into a layer of solid particles kept in turbulent  
26 motion by air that is forced into the layer from below, resulting in a  
27 thorough mixing and intimate contact of the fuel and other reactants.

28 Sec. 2. (NEW) (*Effective from passage*) (a) On and after July 1, 2008,  
29 the owner or operator of an affected unit or units shall: (1) Meet an  
30 emissions rate of equal to or less than 0.6 pounds of mercury per TBtu,  
31 or (2) meet a mercury emissions rate equal to a ninety per cent  
32 reduction of mercury from the measured inlet conditions for the  
33 affected unit, whichever emissions rate is more readily achievable by  
34 such affected unit, as determined by the owner or operator of such  
35 affected unit. Compliance with the requirements of this subsection  
36 shall be demonstrated in accordance with the provisions of subsection  
37 (c) of this section.

38 (b) (1) If the owner or operator of any affected unit properly installs  
39 and operates control technology designed to achieve the mercury  
40 emissions rate requirement of subsection (a) of this section and such  
41 technology fails to achieve said emission rate, such owner or operator  
42 shall notify the Commissioner of Environmental Protection of such

43 failure no later than February 1, 2009. Such owner or operator shall  
44 submit each quarterly stack test from such affected unit to the  
45 Commissioner of Environmental Protection for evaluation and  
46 establishment of an alternative emissions limit for such affected unit  
47 based upon the optimized performance of such properly installed and  
48 operated control technology. The Commissioner of Environmental  
49 Protection shall establish an alternative emissions limit for any such  
50 affected unit no later than April 1, 2010.

51 (2) Upon the establishment of an alternative emissions limit for an  
52 affected unit, pursuant to subdivision (1) of this subsection, the  
53 Commissioner of Environmental Protection shall incorporate such  
54 alternative emissions limit into the Title V permit for such affected  
55 unit. Thereafter, upon any application for renewal of such Title V  
56 permit, the Commissioner of Environmental Protection shall conduct a  
57 review of such affected unit's alternative emissions limit and may  
58 impose a more stringent alternative emissions limit based upon any  
59 new data regarding the demonstrated control capabilities of the type  
60 of control technology installed and operated at such affected unit.

61 (3) If the owner or operator of any affected unit properly installs and  
62 operates control technology designed to achieve the mercury  
63 emissions rate requirement established in subsection (a) of this section,  
64 but such technology fails to achieve such emissions requirement, and  
65 such owner or operator notifies the Commissioner of Environmental  
66 Protection of such failure no later than February 1, 2009, the owner or  
67 operator of such affected unit shall demonstrate compliance with the  
68 requirements of subsection (a) of this section for the period beginning  
69 July 1, 2008, and ending on the date of the issuance of an alternative  
70 emissions limit, pursuant to subdivision (1) of this subsection, by  
71 operating and maintaining such affected unit, including any associated  
72 air pollution control equipment, in a manner consistent with good air  
73 pollution control practices for the minimization of mercury emissions,  
74 as determined by the Commissioner of Environmental Protection. In  
75 determining whether the owner or operator of such affected unit is  
76 operating and maintaining such affected unit in a manner consistent

77 with good air pollution control practices for the minimization of  
78 mercury emissions, the Commissioner of Environmental Protection  
79 may review the emissions monitoring results and operating and  
80 maintenance procedures of such unit and may inspect such affected  
81 unit.

82 (c) (1) Any stack test used to demonstrate compliance with the  
83 mercury emissions rate requirements of subsection (a) of this section or  
84 used in the establishment or compliance with an alternative emissions  
85 limit pursuant to subsection (b) of this section, shall be based on the  
86 average of the stack tests conducted during the two most recent  
87 calendar quarters for an affected unit and shall be conducted on a  
88 calendar quarter basis in accordance with the Environmental  
89 Protection Agency's Method 29 for the determination of metal  
90 emissions from stationary sources, as set forth in 40 CFR 60, Appendix  
91 A, as amended from time to time, or any other alternative method  
92 approved by the Environmental Protection Agency or the  
93 Commissioner of Environmental Protection. Such stack tests shall be  
94 conducted while combusting coal or coal blends that are representative  
95 of the coal or coal blends combusted at such affected unit during the  
96 calendar quarter represented by such stack test.

97 (2) If the Commissioner of Environmental Protection determines  
98 that continuous emission monitors for mercury in flue gases are  
99 commercially available and can perform in accordance with National  
100 Institute of Technology Standards, or other methodology approved by  
101 the Environmental Protection Agency, the owner or operator of any  
102 affected unit shall properly install and operate such continuous  
103 emission monitors and shall not be required to conduct stack testing  
104 on a calendar quarter basis. When reporting compliance with the  
105 mercury emissions rate requirement of subsection (a) or (b) of this  
106 section, as applicable, the owner or operator of an affected unit shall  
107 use an average of the continuous emission monitor data recorded at  
108 such affected unit during the most recent calendar quarter.

109 (d) The owner or operator of any affected unit shall, for each

110 calendar quarter, report to the Commissioner of Environmental  
111 Protection the results of any stack test or average of the continuous  
112 emission monitor data, as applicable, used to demonstrate compliance  
113 with the provisions of this section. Such reports shall be submitted on  
114 such forms as may be prescribed by the Commissioner of  
115 Environmental Protection.

116 (e) The provisions of this section, when implemented by the  
117 Commissioner of Environmental Protection, shall not suspend any  
118 underlying procedures or requirements as set forth in the regulations  
119 of Connecticut state agencies.

120 Sec. 3. (NEW) (*Effective from passage*) On or before July 1, 2012, the  
121 Commissioner of Environmental Protection shall conduct a review of  
122 the mercury emission limits applicable to all affected units in the state.  
123 On or after July 1, 2012, the Commissioner of Environmental  
124 Protection may adopt regulations, in accordance with the provisions of  
125 chapter 54 of the general statutes, imposing mercury emission limits  
126 that are more stringent than such emissions requirements provided for  
127 in subsection (a) or (b) of section 2 of this act."

This act shall take effect as follows:	
Section 1	<i>from passage</i>
Sec. 2	<i>from passage</i>
Sec. 3	<i>from passage</i>